

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.	: 10/724,870	Confirmation No.: 1625
Applicant(s)	: Randall S. HICKLE	
Filed	: December 2, 2003	
TC/A.U.	: 3735	
Examiner	: Navin Natnithithadha	
Title	: RESPIRATORY MONITORING SYSTEMS AND METHODS	
Docket No.	: 82021-0033	
Customer No.	: 24633	

MAIL STOP: RCE

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

REQUEST FOR CONTINUED EXAMINATION (RCE)

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

The required submission under 37 C.F.R. § 1.114:

- a. ☒ Was previously submitted
 - i. ☒ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on **February 27, 2009.**
 - ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on
 - iii. ☐ Other
- b. ☐ Is enclosed
 - i. ☐ Response After Final
 - ii. ☐ Affidavit Under 37 CFR § 1.132
 - iii. ☐ Information Disclosure Statement (IDS)
 - iv. ☐ Other Form PTO-1449 along with references cited

2. ☐ **Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. §1.17(a), for the total number of months checked below:**

<u>Total Months Requested</u>	<u>Fee for Extension</u>
<input type="checkbox"/> one month	\$ 130.00 (65.00)
<input type="checkbox"/> two month	\$ 490.00 (245.00)
<input type="checkbox"/> three month	\$1,110.00 (555.00)
<input type="checkbox"/> four month	\$1,730.00 (865.00)
<input type="checkbox"/> fifth month	\$2,350.00 (1,175.00)

3. **Fee Calculation (37 C.F.R. § 1.16):**

CLAIMS FOR FEE CALCULATION				
	Number as Filed	Number Extra	At Rate of	Fee \$ 810.00
Total Claims (37 C.F.R. §1.16(c))	16 =	0	\$52/26 each =	+\$.00
Independent Claims (37 C.F.R. §1.16(b))	1 =	0	\$220/110 each =	+\$.00
____ Month Extension of Time Fee				\$ 0.00
SUB-TOTAL =				\$ 810.00
Reduction by 1/2 for filing by a small entity				-\$ 0.00
TOTAL FILING FEE =				\$ 810.00

4. **Miscellaneous:**

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1,103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other

5. **Fees:**

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☐ **Check** in the amount of **\$0.00** is enclosed for the RCE and Third Month Extension of Time fees noted above
- b. ☒ The Commissioner is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-1349.
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e) in the amount of **\$810.00**
- ii. ☐ Second Month Extension fee in the amount of **\$0.00**
- iii. ☐ Other

- ☒ **Except** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-1349. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. §1.136(a)(3).

Respectfully submitted,
HOGAN & HARTSON LLP

Dated: March 27, 2009

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